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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

10 MICHAEL CANTU,) CASE NO. CV 14-00219 MMM (JCGx)
11 Plaintiff,)
12 vs.)
13 THE UNITED STATES OF AMERICA,)
14 Defendant.)
15 _____)
16 THE UNITED STATES OF AMERICA,)
17 Counterclaimant,)
18 vs.)
19 MICHAEL CANTU,)
20 Counterdefendant.)
21 _____)

22 On January 9, 2014, Michael Cantu filed this action against the United States of America and
23 United States Customs and Border Patrol (“CBP”) supervisory officer Owen Takeshi Teruya. On April
24 10, 2014, the United States of America was substituted as defendant for Officer Teruya pursuant to 28
25 U.S.C. § 2679(d)(2). On April 21, 2014, the government answered the complaint and filed a
26 counterclaim against Cantu. Cantu answered the counterclaim on May 9, 2014. On May 4, 2015, the
27 counterclaim was dismissed pursuant to the parties’ stipulation. Cantu’s negligence claim was tried to
28 the court on May 5 and 6, 2015. On August 7, 2015, the court entered findings of fact and conclusions

1 of law pursuant to Rule 52 of the Federal Rules of Civil Procedure, finding that Cantu had proven his
2 negligence claim against the government and that Cantu was comparatively negligent. The court
3 awarded Cantu damages of \$15,723.45, representing a 70 percent deduction of total proven damages
4 of \$52,411.50; this reduction was made due to Cantu's proportionate share of fault. Accordingly,

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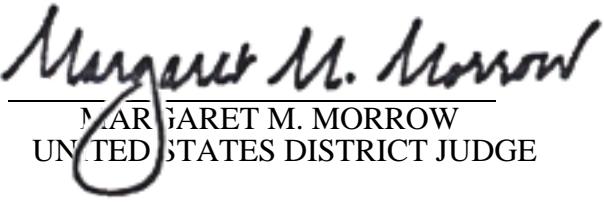
6 IT IS ORDERED AND ADJUDGED

7 1. That Cantu recover \$15,723.45 in damages on his negligence claim against the United
8 States;

9 2. That the United States take nothing by way of its counterclaim against Cantu; and

10 3. That the action be, and it hereby is, dismissed.

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12 DATED: August 7, 2015

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15 MARGARET M. MORROW
16 UNITED STATES DISTRICT JUDGE

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